

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CELGENE CORPORATION,

Plaintiff,

v.

PAR PHARMACEUTICAL, INC., PAR
PHARMACEUTICAL COMPANIES,
INC., and TEVA PHARMACEUTICALS
USA, INC.,

Defendants.

C.A. No. 17-3159 (ES)(MAH)

CELGENE CORPORATION,

Plaintiff,

v.

HETERO LABS LIMITED, HETERO
LABS LIMITED UNIT-V, HETERO
DRUGS LIMITED, HETERO USA, INC.,
AUROBINDO PHARMA LIMITED,
AUROBINDO PHARMA USA, INC.,
AUROLIFE PHARMA LLC, EUGIA
PHARMA SPECIALTIES LIMITED,
APOTEX INC., APOTEX CORP.,
MYLAN
PHARMACEUTICALS, INC., MYLAN
INC., MYLAN, N.V., and
BRECKENRIDGE PHARMACEUTICAL,
INC.,

Defendants.

C.A. No. 17-3387 (ES)(MAH)

**DECLARATION OF BRIAN P. MURRAY IN SUPPORT OF DEFENDANTS'
OPENING CLAIM CONSTRUCTION BRIEF**

I, Brian P. Murray, declare as follow:

1. I am an attorney with the law firm of Taft Stettinius & Hollister LLP, counsel for Defendants and Counterclaim Plaintiffs Apotex Inc. and Apotex Corp. in the above-captioned matter.

2. I submit this Declaration in support of Defendants' Opening Claim Construction Brief.

3. I have personal knowledge of the following facts and, if called to testify, I could and would testify competently to the matters stated herein.

4. Attached hereto as **Exhibit A** is a true and correct copy of the prosecution history of U.S. Patent No. 8,198,262 B2.

5. Attached hereto as **Exhibit B** is a true and correct copy of the prosecution history of U.S. Patent No. 8,673,939 B2.

6. Attached hereto as **Exhibit C** is a true and correct copy of the prosecution history of U.S. Patent No. 8,735,428 B2.

7. Attached hereto as **Exhibit D** is a true and correct copy of the prosecution history of U.S. Patent No. 8,828,427 B2.

8. Attached hereto as **Exhibit E** is a true and correct copy of U.S. Patent No. 6,045,501.

9. Attached hereto as **Exhibit F** is a true and correct copy of the Final Written Decision from IPR2015-01092.

10. Attached hereto as **Exhibit G** is a true and correct copy of the Final Written Decision from IPR2015-01096.

11. Attached hereto as **Exhibit H** is a true and correct copy of the prosecution history of U.S. Patent No. 6,315,720.

12. Attached hereto as **Exhibit I** is a true and correct copy of excerpts from Celgene's Response to Defendants' Invalidity Contentions on the REMS Patents.

13. Attached hereto as **Exhibit J** is a true and correct copy of United States Patent Application No. 11/437,551.

I, BRIAN P. MURRAY, declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: November 15, 2018



Brian P. Murray